

EXHIBIT 1

Reply Memorandum In Support Of
 Al Rajhi Bank's Motion For The Court To
 Decide The Bank's Pending Rule 12(B)(6) Motion To Dismiss

In re Terrorist Attacks on September 11, 2001
 Case No. 1:03-md-01570-GBD-SN (S.D.N.Y.)

**COMPARISON OF PLAINTIFFS' PURPORTEDLY "NEW" ALLEGATIONS (Opp'n Ex. 1)
 IN THE AMENDED COMPLAINT AGAINST AL RAJHI BANK WITH THOSE PREVIOUSLY DISMISSED IN MDL 1570**

FAC	NEW ALLEGATION	CORRESPONDING ALLEGATION IN PREVIOUSLY DISMISSED ACTIONS
¶121	A November 14, 2002 CIA report titled " <i>Saudi-Based Financial Support for Terrorist Organizations</i> " similarly confirms that "Saudi Arabia is a key base of financial support for al-Qa'ida" and that "Most of the money originates from wealthy individuals, fundraisers who solicit smaller donations, and diversions from non-governmental organizations (NGOs)."	<p>Burnett Third Am. Compl. ("Burnett TAC") pp. 205, 209, No. 02-cv-01616 (D.D.C.), ECF No. 29 (quoting and citing <i>Terrorism Financing, Report of an Independent Task Force Sponsored by the Council on Foreign Relations</i>, 2002); see Case Management Order No. 1, No. 03-md-1570 (S.D.N.Y.), ECF No. 16 (consolidating <i>Burnett v. Al Baraka Inv. and Dev. Corp.</i> into 03-md-1570):</p> <p>"Al Qaeda's financial backbone was built from the foundation of charities, nongovernmental organizations, mosques, web sites, fundraisers, intermediaries, facilitators and banks and other financial institutions that help finance the mujahideen throughout the 1980s."</p> <p>....</p> <p>The Report concluded that individuals and charities in Saudia [sic] Arabia have been 'the most important source' of funds for al Qaeda</p> <p><i>E.g.</i>, Burnett TAC p. 308 (¶ 334):</p>

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		Blessed Relief was an al Qaeda front used by wealthy Saudis and others to funnel money to Osama bin Laden's terrorist network.
¶122	<p>A separate April 25, 2002 CIA report concerning sources of al Qaeda's vast financing, titled "<i>Identifying Al-Qa'ida's Donors and Fundraisers: A Status Report</i>," likewise concludes that "wealthy individuals in the Arabian Peninsula and grassroots supporters from around the world are critical funding sources for al-Qa'ida," and documents how wealthy financiers within al Qaeda's inner-circle use purported charities and businesses as middlemen in an effort to conceal their roles in channeling resources to bin Laden's organization:</p> <p style="padding-left: 40px;">Donors generally channel money intended for terrorist-related activities through middlemen – including nongovernmental organizations (NGOs), mosques, fundraisers, and businessmen – rather than giving the funds directly to Bin Ladin or other senior al Qa-ida members. This practice hides the donors' role and allows them to deny knowing the funds went to terrorists.</p>	<p>Federal Insurance First Amended Complaint ("Fed. Ins. Compl.") ¶¶ 80, 376, No. 03-md-1570 (S.D.N.Y.), ECF No. 104:</p> <p>In describing the integral role of charitable organizations in al Qaida's global operations, the United Nations Security Council Committee concerning al Qaida and the Taliban recently stated:</p> <p style="padding-left: 40px;">From its inception, al-Qaida has relied heavily on charities and donations from its sympathizers to finance its activities These funds are often merged with and hidden among funds used for other legitimate humanitarian or social programs. Al-Qaida supporters and financiers have also established front charity networks whose main purpose is to raise and deliver funds to al-Qaida. . . . Today, al-Qaida continues to rely heavily on those charities to facilitate and mask the collection and movement of its funds.</p> <p style="text-align: center;">. . . .</p> <p>Al Qaida has established numerous for-profit businesses throughout the world, to augment the funding it receives from its State sponsors, wealthy donors and the charities and banks operating within its infrastructure.</p>
¶125	Given the intimacy of the so-called charities' collaborations with al Qaeda and their complete integration into al Qaeda's infrastructure, Juan Zarate ("Zarate"), who served as both deputy national security advisor for combatting terrorism and the first ever assistant secretary for the Treasury for terrorist financing and	<p>Burnett TAC pp. 215-216:</p> <p>Such are the perverse Wahabbi sermons currently preached to inspire young men to join forces with Osama bin Laden and al Qaeda in a war against the West. . . . The hate-filled</p>

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	financial crimes, observed in his book <i>Treasury Wars</i> that “Distinguishing between some of the international Wahhabi organizations and terrorist support networks was nearly impossible, especially when support for Al Qaeda and support for spreading Wahhabi beliefs seemed to blend together so seamlessly. This was true in the work of some of the branches of Saudi-based institutions, such as the International Islamic Relief Organization (IIRO).”	ideology of the Wahabbists and Al-Budair confirm John O’Neill’s judgement that the ideological, political and financial essence of al Qaeda, the growth of which led to the September 11, 2001 terrorist attacks, stems from certain segments in Saudi Arabia Osama bin Laden and his al Qaeda organization are Wahhabists who have advocated for all of the above Wahhabist beliefs, including killing all non-believers.
¶127	<p>In the wake of the September 11th attacks, the United States determined that the fight against al Qaeda and prevention of future attacks like those carried on September 11, 2001 urgently required that the United States disrupt and dismantle the financial and logistical support network of wealthy donors, charities, and banks that had made 9/11 possible. As Juan Zarate has explained the mindset of U.S. national security and counter-terrorism officials at the time:</p> <p style="padding-left: 40px;">The next attacks needed to be crippled and stopped. Following and disrupting the money flows within the Al Qaeda system became an imperative. The Al Qaeda financial networks – charities, deep-pocket donors, and front companies – and the means by which Al Qaeda moved money around the world – banks, couriers, wire transfers, hawaladars – would become our targets.</p>	<p>Plaintiffs’ Response to Al Rajhi Bank’s Rule 12(e) Request, Ex. 1 (“Burnett 12(e) Resp.”) ¶ 15, JA308-09, No. 18-1201-cv(L) (2d Cir.), ECF No. 129-1:</p> <p>On September 23, 2001, in direct response to the terrorist attacks on September 11, the President signed Executive Order 13224, which ordered the blocking of property of and prohibition of transactions with persons who commit, threaten to commit, or provide financial or other support to support terrorism. The list of these “specially designated global terrorists” or terrorist organizations (“SDGT”) included Osama bin Laden and Al Qaeda.</p> <p>Burnett TAC ¶ 42:</p> <p>John B. Taylor, Undersecretary of Treasury for International Affairs, stated in April 2002, that preventing terrorists from abusing financial institutions was a main goal in the war against terrorism.</p>
¶132	According to Zarate, “Prominent and wealthy names long familiar to law enforcement appeared on the list. Not surprisingly, many of these men were prominent Saudis – <i>such as Suleiman al Rajhi and Khalid bin Mahfouz.</i> ” (emphasis supplied).	<p>Burnett 12(e) Resp. ¶ 16, JA309:</p> <p>Early in the formation of Al Qaeda, at a time when its objective was global Jihad, warfare and bloodshed envisaging terrorist attacks against “Western” targets, Osama bin Laden received financial support from a group of wealthy donors</p>

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		from the Gulf areas known as the Golden Chain. The list of donors includes Defendants Ibrahim Afandi, Saleh Kamel, Bin Mahfouz, and Al-Rajhi.
¶137	These wealthy patrons were “not just passive contributors, but demanding investors in a cause. Over time, the donor class would grow increasingly demanding of Al Qaeda, asking to hear directly from bin Laden and requiring that their funds be leveraged to launch significant attacks.” <i>Treasury Wars</i> at p. 80.	<p>See Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>Mr. Al Rajhi and family members have been major donors to Islamic charities that are suspected by Western intelligence agencies of funding terrorism, according to CIA reports and federal-court filings by the Justice Department.</p> <p>Fed. Ins. Compl. ¶ 494:</p> <p>Al Rajhi has made substantial contributions to many of the charities, operating within al Qaida’s infrastructure, with full knowledge that those funds would be used to support al Qaida’s operations and terrorist attacks.</p> <p>See Burnett TAC ¶ 86:</p> <p>Saleh Abdulaziz al-Rajhi has been closely linked to Osama bin Laden’s personal secretary and convicted terrorist, Wadih el-Hage.</p>
¶156	<p>The nature and scope of the collaboration between Al Rajhi Bank and al Qaeda that prompted the United States to focus on the bank were detailed in a 2003 Report of the Central Intelligence Agency. According to that report:</p> <p>Al-Rajhi Bank: Conduit for Extremist Finance (S/NF)</p> <p>Islamic extremists have used Al-Rajhi Banking & Investment Corporation (ARABIC) since at least the mid-1990s as a conduit for terrorist transactions, probably because they find the bank’s vast network and adherence to Islamic principles both convenient and ideologically sound. Senior al-Rajhi</p>	<p>Pls.’ Summary of Allegations as to NCB ¶ 55 & Ex. 114 (“Wall Street Journal, Terror Finance: U.S. Tracks Saudi Bank Favored by Extremists, July 27, 2007 and 2003 CIA Report Excerpt”):</p> <p>Suleiman al Rajhi was himself an active sponsor of al Qaeda frequently through his own banks. According to a 2003 CIA report:</p> <p>“Al-Rajhi Bank: Conduit for Extremist Finance (S/NF)</p> <p>Islamic extremists have used Al-Rajhi Banking & Investment Corporation (ARABIC) since at least the</p>

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	<p>family members have long supported Islamic extremists and probably know that terrorists use their bank. Reporting indicates that senior al-Rajhi family members control the bank's most important decisions and that ARABIC's principal managers answer directly to Sulayman. The al-Rajhis know they are under scrutiny and have moved to conceal their activities from financial regulatory authorities.</p>	<p>mid-1990s as a conduit for terrorist transactions, probably because they find the bank's vast network and adherence to Islamic principles both convenient and ideologically sound. Senior al-Rajhi family members have long supported Islamic extremists and probably know that terrorists use their bank. Reporting indicates that senior al-Rajhi family members control the bank's most important decisions and that ARABIC's principle [sic] managers answer directly to Suleiman. The al-Rajhis know they are under scrutiny and have moved to conceal their activities from financial regulatory authorities."</p> <p>See Wall Street Journal, Terror Finance: U.S. Tracks Saudi Bank Favored by Extremists, July 27, 2007, and 2003 CIA Report attached hereto as Exhibit 114.</p> <p>Plaintiffs-Appellants' Br. 102-03 & n.114, <i>Terrorist Attacks VII</i>, 714 F.3d 659 (2d Cir. 2013) (No. 11-3294) (ECF No. 299):</p> <p>Plaintiffs' allegations were corroborated by The Wall Street Journal report of the extensive contacts between Al Rajhi Bank and al-Qaeda:</p> <p>Islamic extremists have used Al-Rajhi Banking & Investment Corporation (ARABIC) since at least the mid-1990s as a conduit for terrorist transactions, probably because they find the bank's vast network and adherence to Islamic principles both convenient and ideologically sound. Senior al-Rajhi family members have long supported Islamic extremists and probably know that terrorists use their bank. Reporting indicates that senior al-Rajhi family members control the bank's most important decisions and that ARABIC's principal</p>

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		<p>managers answer directly to Sulayman. The al-Rajhis know they are under scrutiny and have moved to conceal their activities from financial regulatory authorities.”</p> <p>JA7882.¹¹⁴ Based on these allegations, Al Rajhi Bank had reason to know of the charities’ “extensive sponsorship of al Qaida’s operations, and consequently that the accounts maintained by Al Rajhi Bank on behalf of those organizations were being used to channel funds to al Qaida.” JA3828.</p> <p>FN 114 This report was published subsequent to the initial briefing below, and submitted in connection with plaintiffs’ opposition to NCB’s renewed motion to dismiss. However, the facts reflected in the report were of record from the outset, as reflected in plaintiffs’ pleadings as to Al Rajhi Bank.</p>
¶157	<p>The Wall Street Journal (“WSJ”) reviewed the 2003 report, along with other reports authored by the CIA and other U.S. agencies concerning Al Rajhi Bank’s extensive sponsorship of al Qaeda and allied terrorist organizations, and issued a detailed report in 2007 describing the principal findings of U.S. intelligence investigations. <i>See</i> July 26, 2007 Report by Glenn Simpson of the Wall Street Journal, titled <i>U.S. Tracks Saudi Bank Favored By Extremists</i>.</p>	<p>Pls.’ Summary of Allegations as to NCB ¶ 55:</p> <p><i>See</i> Wall Street Journal, Terror Finance: U.S. Tracks Saudi Bank Favored by Extremists, July 27, 2007, and 2003 CIA Report attached hereto as Exhibit 114.</p> <p><i>See</i> Plaintiffs-Appellants’ Br. 102-03 & n.114, <i>Terrorist Attacks VII</i>.</p>
¶158	<p>According to the WSJ, the U.S. intelligence reports confirm that Al Rajhi Bank played a critical role in facilitating the terrorist activities of al Qaeda’s integrated charity fronts, and “describe how Al Rajhi Bank has maintained accounts and accepted donations for Saudi charities that the U.S. and other nations have formally designated as fronts for al Qaeda or other terrorist groups.” For example, the intelligence reports indicate that Al Rajhi Bank maintained at least twenty-four (24) accounts and handled unusual transactions for the Al Haramain Islamic</p>	<p>Fed. Ins. Compl. ¶¶ 278, 283:</p> <p>Al-Rajhi Rank has served as one al Qaida’s preferred banks for many years, maintaining accounts for many of the charity defendants that operate within al Qaida’s infrastructure, including the IIRO, MWL, WAMY, BIF, and Al Haramain, among others.</p>

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	<p>Foundation, “a charity that Treasury officials say has acted as a front for al Qaeda in 13 countries.” The report states that in 2000, a top official from al-Haramain deposited \$130,000 in \$1,000 traveler’s checks into an Al Rajhi account in Riyadh. According to a U.S. indictment, the funds were then sent to al-Qaeda fighters in Chechnya. In connection with the resulting federal prosecution of an al Haramain official, the U.S. government issued an administrative subpoena to Al Rajhi Bank, requesting that Al Rajhi Bank produce documents relevant and essential to the prosecution. Al Rajhi Bank refused to comply.</p>	<p>. . . . Al Rajhi Bank has, for a period of many years, provided critical financial and logistical support to al Qaida in relation to that terrorist organization’s global jihad.</p> <p>Burnett 12(e) Resp. ¶ 44, JA317:</p> <p>At all relevant times, Al Rajhi maintained and provided services for a large number of bank accounts for Al Haramain Islamic Foundation. Al Rajhi continues the maintenance of Al Haramain’s accounts despite the fact that Al Haramain was banned from Kenya in September 1998 as a result of national security concerns following the 1998 terrorist attacks on the United States embassies in Tanzania and Kenya. Al Rajhi continues to maintain Al Haramain’s accounts despite Al Haramain’s designation on March 11, 2002 as terrorist organizations by both the United States and Saudi Arabian authorities for its diversion of “charitable funds” to al Qaeda and international terrorism prior to September 11, through its Somalia and Bosnia-Herzegovina branches.</p> <p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>“Al Rajhi Bank maintained at least 24 accounts and handled unusual transactions for Al-Haramain foundation--a charity that Treasury officials say has acted as a front for al Qaeda in 13 countries--until the Saudi government ordered the charity shut down in late 2004, according to intelligence and law-enforcement reports. The United Nations has designated top officials of Al Haramain foundation as terrorists, and most of its offices now are closed.</p> <p>According to a federal indictment in Oregon, a top Al Haramain official in 2000 carried \$130,000 in \$1,000 traveler’s checks from Portland to Riyadh and deposited them</p>

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		<p>with Al Rajhi--funds the indictment says were for the ultimate benefit of al Qaeda fighters in Chechnya.”</p> <p>See Plaintiffs-Appellants’ Br. 102-03 & n.114, <i>Terrorist Attacks VII</i>.</p>
¶159	<p>Consistent with Suleiman al Rajhi’s inclusion on the Golden Chain, the intelligence reports reviewed in the article also document the longstanding involvement of Suleiman al Rajhi and al Rajhi family members in supporting extremists through purported charities, explaining that “Mr. Al Rajhi and family members have been major donors to Islamic charities that are suspected by Western intelligence agencies of funding terrorism, according to CIA reports and federal-court filings by the Justice Department.”</p>	<p>Burnett 12(e) Resp. ¶ 84, JA327:</p> <p>The al-Rajhi Family is the principal financier of the SAAR Foundation network, and as such, is implicated by, among other things, the SAAR network raids in March 2002 for its ties to international terrorism, Al Qaeda and Osama bin Laden.</p> <p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>Mr. Al Rajhi and family members have been major donors to Islamic charities that are suspected by Western intelligence agencies of funding terrorism, according to CIA reports and federal-court filings by the Justice Department.</p> <p>See Plaintiffs-Appellants’ Br. 102-03 & n.114, <i>Terrorist Attacks VII</i>.</p>
¶160	<p>Confirming the depth of Al Rajhi Bank’s commitment to supporting al Qaeda and related terrorist organizations, the “2003 CIA Report claims that a year after Sept. 11, with a spotlight on Islamic charities, Mr. Al Rajhi ordered Al Rajhi Bank’s board ‘to explore financial instruments that would allow the bank’s charitable contributions to avoid official Saudi scrutiny.’” A few weeks earlier, “Mr. Al Rajhi ‘transferred \$1.1 billion to offshore accounts – using commodity swaps and two Lebanese banks – citing a concern that U.S. and Saudi authorities might freeze his assets.’”</p>	<p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>A 2003 CIA report claims that a year after Sept. 11, with a spotlight on Islamic charities, Mr. Al Rajhi ordered Al Rajhi Bank’s board “to explore financial instruments that would allow the bank’s charitable contributions to avoid official Saudi scrutiny.”</p> <p>A few weeks earlier, the report says, Mr. Al Rajhi “transferred \$1.1 billion to offshore accounts -- using</p>

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		<p>commodity swaps and two Lebanese banks -- citing a concern that U.S. and Saudi authorities might freeze his assets.”</p> <p><i>See Plaintiffs-Appellants’ Br. 102-03 & n.114, Terrorist Attacks VII.</i></p>
¶161	<p>The 2003 CIA Report also discusses efforts by Suleiman and Saleh al Rajhi to conceal and disguise unusual transfers through purported charities. The report says that Suleiman and Saleh transferred \$4 million to parties in Germany and Pakistan in December 1998 using “a unique computer code to send funds at regular intervals to unspecified recipients, suggesting that they were trying to conceal the transactions and that the money may have been intended for illegitimate ends.”</p>	<p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>The 2003 CIA report tells of efforts by two Al Rajhi brothers to keep some giving secret.</p> <p>It says that Sulaiman and Saleh transferred \$4 million to parties in Germany and Pakistan in December 1998 using “a unique computer code to send funds at regular intervals to unspecified recipients, suggesting they were trying to conceal the transactions and that the money may have been intended for illegitimate ends.”</p> <p><i>See Plaintiffs-Appellants’ Br. 102-03 & n.114, Terrorist Attacks VII.</i></p>
¶162	<p>The U.S. investigations also confirmed that al Qaeda and other terrorist organizations had absolute confidence in Al Rajhi Bank’s commitment to their terrorist cause, as reflected by the United States’ finding that extremists “ordered operatives in Afghanistan, Indonesia, Pakistan, Saudi Arabia, Turkey, and Yemen” to use Al Rajhi Bank.</p>	<p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>The report says extremists “ordered operatives in Afghanistan, Indonesia, Pakistan, Saudi Arabia, Turkey, and Yemen” to use Al Rajhi Bank.</p> <p><i>See Plaintiffs-Appellants’ Br. 102-03 & n.114, Terrorist Attacks VII.</i></p> <p>Fed. Ins. Compl. ¶¶ 392-93:</p> <p>Spanish investigators have confirmed that the Spanish network sent funds to Mahmoud Darkazanly and Abdul Fattah Zammar, two Syrian born businessmen who had close ties with the German al Qaida cell. According to German</p>

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		<p>officials, Darkazanly belonged to “the most intimate circle of Mohammad Atta.”</p> <p>Transfers between the Spanish network, German al Qaida cell, Darkazanly and Zammar were laundered through the Al Rajhi Bank.</p> <p>Burnett 12(e) Resp. ¶ 43, JA316:</p> <p>One of the hijackers in the September 11 attack, Abdulaziz al-Omari, who was aboard American Airlines Flight 11, maintained an account with Al Rajhi numbered 162608010366080 and was issued a Visa debit card number 4909-8016-2002-5457.</p> <p>Mohammed Atta, the lead hijacker on flight 11 and leader of the September 11 operation, made a transfer to this Al Rajhi account held by Al Omari. As such, Al Rajhi facilitated, aided, abetted and materially supported terrorists and terrorist activities.</p> <p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>Mamduh Mahmud Salim, convicted mastermind of the 1998 embassy bombings in Kenya and Tanzania, was carrying records of an Al Rajhi account (number 001424/4) when arrested in Germany in 1998, German police found.</p>
¶165	<p>U.S. investigations also documented very hands-on dealings between Al Rajhi Bank and terrorists at operational levels. In this regard, the 2003 CIA Report says that Al Rajhi Bank couriers “delivered money to the Indonesian insurgent group Kompak to fund weapons purchases and bomb-making activities.” Kompak is an al Qaeda affiliate, which also received funding through al Haramain Islamic Foundation.</p>	<p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p> <p>[T]he CIA report says, Al Rajhi Bank couriers “delivered money to the Indonesian insurgent group Kompak to fund weapons purchases and bomb-making activities.”</p>

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		<p><i>See Plaintiffs-Appellants’ Br. 102-03 & n.114, Terrorist Attacks VII.</i></p> <p>Burnett TAC ¶ 176:</p> <p>Umar Faruq, senior al Qaeda representative in Southern Asia, confessed that al-Haramain was the main financial mechanism for funding terrorists operations in the region, through its Indonesian office director in Jakarta, Ahmed al-Moudi.</p>
¶167	<p>Consistent with the findings of U.S. intelligence agencies, Zacarias Moussaoui, the only al Qaeda member convicted to date for involvement in the September 11th attacks, has testified that Osama bin Laden personally described Al Rajhi Bank to him as “like a good brother.” Moussaoui explained that Al Rajhi Bank was responsible for “moving money around” for al Qaeda, and was one of the main supporters of the Saudi charity fronts used by al Qaeda, including the Al Haramain Islamic Foundation.</p>	<p>Statement Under Oath of Zacarias Moussaoui, Vol. I, at 17:17-24, No. 03-md-01570 (S.D.N.Y.), ECF No. 2927-5:</p> <p>Q What did Shaykh Osama bin Laden say about Al-Rajhi bank?</p> <p>A I know that the discussion we have they were like a good brother, I mean, they were -- they were one -- one of the main support with the Haramain and the High Commission, and -- and the -- the -- the -- and national commission of the financial support and moving -- moving money around, I know this for a fact.</p> <p>Fed. Ins. Compl. ¶¶ 278, 280:</p> <p>Al-Rajhi Rank has served as one al Qaida’s preferred banks for many years The accounts maintained by Al Rajhi on behalf of the charities operating within Al Qaida’s infrastructure, and in particular accounts it maintained for al Haramain and IIRO, have been used to transfer funds to al Qaida cells throughout the world.</p>
¶168	<p>Faced with a wealth of compelling evidence of Al Rajhi Bank’s long-standing material support for al Qaeda, “officials from the National Security Council, CIA, Treasury and State Departments</p>	<p>Pls.’ Summary of Allegations as to NCB, Ex. 114:</p>

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	<p>debated a proposal for legal and political action against the bank, including the possibility of covert operations such as interfering with the bank's internal operations," according to the WSJ. U.S. officials further debated designating the bank pursuant to Executive Order 13224, an action that can only occur where persons knowingly "assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism." Ultimately, U.S. officials chose to seek reforms of the bank via direct negotiations with the Saudi government, and there have since been significant leadership and managerial changes at the bank. Of particular note, Suleiman al Rajhi stepped down as head of the bank and relinquished his control over it.</p>	<p>Deputies from the National Security Council, CIA, Treasury and State departments debated a proposal for legal and political action against Al Rajhi Bank, including the possibility of covert operations such as interfering with the bank's internal operations, according to Bush administration documents and former U.S. officials.</p> <p>One idea kicked around was "listing or threatening to list" Al Rajhi Bank as a supporter of terrorism. . . .</p> <p>Ultimately, the Bush administration again chose merely to continue privately exerting pressure on the Saudis to stiffen their oversight.</p> <p><i>See Plaintiffs-Appellants' Br. 102-03 & n.114, Terrorist Attacks VII.</i></p>
¶169	<p>U.S. State Department diplomatic cables confirm the urgency and gravity of the engagements between U.S. officials and their Saudi counter-parts concerning Al Rajhi Bank's sponsorship of al Qaeda. The cables indicate that U.S. officials conveyed their "real concerns about the financial activities facilitated by Al-Rajhi" to senior Saudi officials, and sought unprecedented reform at Al Rajhi Bank in the years following the September 11th attacks.</p>	<p>Burnett 12(e) Resp. ¶¶ 73, 75, JA323-24:</p> <p>Al Rajhi is obliged to follow the Accounting Standards for Commercial Banks issued by the Saudi Arabian Monetary Agency ("SAMA") the Central Bank of Saudi Arabia, and the International Accounting Standards ("IAS"). Al Rajhi is regulated and supervised by SAMA. Since 1999, it has been required to cooperate with SAMA concerning investigations into terrorist financing.</p> <p>In 1999, William Weschler of the National Security Council and Richard Newcomb of the Office of Foreign Assets Control (OFAC) traveled to Saudi Arabia to specifically warn SAMA and Al Rajhi that their financial systems were being manipulated or utilized to fund terrorist organizations such as Al Qaeda. In addition, FATF, the U.S. Treasury Department and a number of other international financial bodies specifically warned SAMA and other officials within the</p>

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		government of Saudi Arabia that they must adopt “know your customer” and anti-money laundering and anti-terrorist financing regulations and to comply with FATF’s other provisions.
¶170	According to a September 27, 2004 cable titled “Terrorist Financing: Al-Rajhi Bank,” Treasury Assistant Secretary Juan Zarate met with Saudi banking officials and explained that the United States needs “to be assured that Al-Rajhi is doing everything possible regarding compliance and cooperation. Particular accounts of concern need to be investigated and the bank’s compliance structure needs to be reviewed.”	See Corresponding Allegation to Am. Compl. ¶¶ 169.
¶171	After U.S. officials “provided the Saudi government with information documenting specific instances of terrorists using the Al Rajhi Bank, including information about specific accounts and transactions of interest,” Saudi Arabia agreed to conduct a joint review with Treasury Department officials “to ensure the institution is not operating in a way that provides safe haven for the financial transactions of terrorists and their supporters.”	See Corresponding Allegation to Am. Compl. ¶¶ 169.
¶172	A November 25, 2004 diplomatic cable titled “Joint Examination of Al Rajhi Bank Through the Joint Terrorist Financing Task Force,” bluntly explains the reason underlying the diplomatic engagements with the Saudis concerning the bank, confirming that Al Rajhi Bank had been “used by al Qaida and like-minded terrorist groups.”	See Corresponding Allegation to Am. Compl. ¶¶ 169.
¶191	In 2013 the United States Senate Permanent Subcommittee on Investigations issued a report entitled U.S. Vulnerabilities to Money Laundering, Drugs, and Terrorist Financing, in which it surveyed much of the foregoing evidence concerning Al Rajhi Bank’s terrorist connections. Succinctly describing the import of the various, independent sources of evidence and connections to	Burnett TAC ¶ 86: Defendant Sulaiman Abdul Aziz al-Rajhi has a history of financially supporting al Qaeda terrorists. Burnett 12(e) Resp. ¶ 16, JA309:

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	<p>terrorism, the report states: “Taken together, the information – the Al Qaeda Golden Chain document, the 2002 search of Al Rajhi-related entities in Virginia, the 2003 CIA report, the 2005 al Haramain Foundation indictment and trial, the 2007 media reports, the 2010 refusal to provide bank documents in a terrorist-financing trial, and the multiple links to suspect banks and accountholders – present an unusual array of troubling allegations about a particular financial institution.”</p>	<p>Early in the formation of Al Qaeda, at a time when its objective was global Jihad, warfare and bloodshed envisaging terrorist attacks against “Western” targets, Osama bin Laden received financial support from a group of wealthy donors from the Gulf areas known as the Golden Chain. The list of donors includes Defendants ... Al-Rajhi.</p> <p>Burnett 12(e) Resp. ¶ 86, A327:</p> <p>Al Rajhi Banking and Investment, by and through the al-Rajhi Family which owns and controls it, has extensive dealings and connections with individuals and organizations linked, or reasonably believed to have links to international terrorism. Given the nature and extent of these links, it is alleged that Al Rajhi has knowingly or materially provided or channeled funds for terrorist-related activity and/or has intentionally, recklessly or negligently allowed itself to be used to facilitate the funding of such activities.</p>